

SECTION 1
EXECUTIVE SUMMARY(insert
2 of 2)**1.1 INTRODUCTION**

This Draft Environmental Impact Report (EIR) addresses the environmental effects associated with the implementation of the proposed Deer Canyon Estates project. The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An EIR is a public document designed to provide the public and local and State governmental agency decision-makers with an analysis of potential environmental consequences to support informed decision-making.

This Draft EIR has been prepared pursuant to the requirements of CEQA, the State CEQA Guidelines, and the City of Anaheim's CEQA procedures (refer to discussion provided in Section 2, Introduction). The City of Anaheim Planning Department, as the Lead Agency, has reviewed and revised as necessary all submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable City technical personnel from other departments and review of all technical subconsultant reports.

This EIR has been prepared by the City of Anaheim to analyze the potential impacts on the environment resulting from the Deer Canyon Estates residential development project. The proposed project includes the following entitlement requests:

- General Plan Amendment (GPA2004-00416)
- Zoning Reclassification (RCL2004-00114)
- Vesting Tract Map (TTM 16440)
- Variance (VAR2004-04597)
- Related approvals that would allow the development of proposed residential uses

In addition to analysis of these actions, the Draft EIR discusses alternatives to the proposed project and includes a mitigation program that will offset, minimize, or otherwise avoid significant environmental impacts. Following is a summary description of the project, project alternatives, and potential significant impacts identified through the analysis presented in this Draft EIR.

1.2 PROJECT DESCRIPTION

The project site is located in the northeastern portion of the City of Anaheim, south of the Riverside (SR-91) Freeway, south of Santa Ana Canyon Road off of the newly named Deer Canyon Road, between South Eucalyptus Drive and Festival Drive. The proposed Deer Canyon Estates project is adjacent to an area of single-family residential developments to the west and commercial development to the east.

The approximately 32.3-acre project site consists primarily of open space and is predominantly undisturbed with the exception of an underground drainage system in the center of the property, Southern California Edison company transmission towers along the eastern boundary, and several access roads that cross the northeastern portion of the site. Site elevations range from approximately 620 feet above mean sea level (msl) in the northeast corner of the property to 445 feet msl at the southeast corner of the project site. The site topography consists of rolling hills, several steep sided hilltops, and northerly ridgelines located to the east and west of the site. The project is located in an area containing landslide material; a potential landslide has been previously mapped within the site. No buildings are located on the property and no

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exposed rock outcroppings exist on the site. A blue line stream¹ is located within the project boundary and runs north-south along the storm drain easement. Vegetation consists of Diegan coastal sage scrub, dense chaparral, oak woodland, willow scrub, and non-native grassland plant species. Species either observed or known to forage at the site include the federally-listed coastal California Gnatcatcher, and numerous avian species, raptors, and reptiles.

The proposed project is described in Section 3, Project Description. In summary, the General Plan Amendment proposes changes in the General Plan land use designation of the project site from *Estate Density* to *Low Density*. The proposed Zone Reclassification involves a zone change from *Transition, Scenic Corridor Overlay* (T[SC]) to *Single-Family, Residential, Scenic Corridor Overlay* (RS-2[SC]).

1.3 PROJECT IMPACTS AND MITIGATION PROGRAM

Table 1-1, Summary of Significant Impacts and Mitigation Program, at the end of this EIR section provides a summary of the potential environmental effects of the project, the recommended mitigation measures, and identifies any unavoidable adverse impacts (as described in Section 4 of this EIR). This EIR also identifies other effects, which are either not considered significant or which constitute beneficial effects of the proposed project; however, these are not the focus of this summary. The reader is referred to the full text of this EIR for a description of the environmental effects of the proposed project and recommended mitigation measures.

As shown in Table 1-1 at the end of this section, the proposed Deer Canyon Estates project would result in potentially significant impacts for the following topical issues: Geology, Hydrology and Water Quality, Traffic and Circulation, Air Quality, Noise, Aesthetic/Views, Cultural Resources, Recreation, Fire Protection, and Schools. The project would also result in cumulative impacts related to Hydrology and Water Quality, Air Quality, Recreation, and Schools. Implementation of the mitigation programs provided in Section 4 would reduce these impacts; however, the following impact would remain significant after implementation of the mitigation program:

- Construction of the proposed project would result in significant short-term impacts from NO_x emission during the peak day and in the peak quarter
- If project-related NO_x emissions occur simultaneously with emissions from other large projects in the vicinity, a cumulatively considerable impact would occur.

1.4 PROJECT ALTERNATIVES

In accordance with Section 15126.6 of the CEQA Guidelines, Section 5 of this EIR includes an analysis of a reasonable range of alternatives that could feasibly attain the basic objectives of the project, and evaluates the comparative merits of the alternatives. As described in Section 5 of this EIR, a total of three alternatives were identified and analyzed, and compared to the proposed project. It should be noted that the Alternative Site location was determined to be infeasible as evaluated in Section 5 of this EIR. The three alternatives evaluated in this EIR include the following:

¹ A blue line stream is a river or section of river, stream, or watercourse with perennial flows (i.e., flows are present throughout the entire year) named as such because they are indicated by a solid blue line on United States Geological Survey 7.5 minute topographical series maps.

- No Project/No Action
- No Project/Development Pursuant to Current General Plan and Zoning
- Development Including Adjoining Dutt Parcel

The following presents a summary of each alternative analyzed in the EIR. Please refer to Section 5 of this EIR for a complete discussion of how the alternatives were selected and the relative impacts of each alternative. As required by CEQA, the alternatives section also identifies the environmentally superior alternative.

1.4.1 No Project/No Action

The No Project/No Action Alternative assumes that no development would occur on the 32.3-acre site, and that the site would remain in its existing condition requiring acquisition for passive open space or conservation. The existing on-site condition is undeveloped, with the exception of a 96-inch storm drain below Deer Canyon Road, an existing maintenance road.

1.4.2 No Project/Development Pursuant to the Current General Plan and Zoning

As discussed above in Section 5.3.1, the No Project alternative usually evaluates the property in its existing state, and with the continuation of the existing plan. The Existing Land Use and Zoning Alternative is the second of the No Project alternatives, and assumes that future development of the site would occur under the existing land use development assumptions established by the City of Anaheim General Plan and Zoning Ordinance. As discussed earlier in Section 3, Project Description, and shown in Exhibit 4.1-2, Existing General Plan Designations, the existing land use designations for the project site include 23.7 acres of *Estate Density* and 8.6 acres of *Open Space*. Exhibit 4.1-3, Existing Zoning, shows the existing zoning is Transition (T) Zone with a *Scenic Corridor Overlay Zone* (SC) covering the entire property. The definitions of the land use and zoning of the site are listed below.

General Plan Land Use Designations

- **Estate Density** – According to the General Plan, typical development consists of single-family residences having 22,000 to 43,000 square foot lots. The permitted density range is from zero up to 1.5 dwelling units per gross acre.
- **Open Space** – The General Plan states that the Open Space designation includes those areas intended to remain in natural open space, utility easements that will provide recreational and trail access to Anaheim's residents, heavily landscaped freeway remnant parcels, and land areas surrounding major water features.

Zoning Ordinance

- **Transition (T)** – According to the Anaheim Municipal Code §18.14.020, this zone "is to provide for a zone to include land that is used for agricultural uses, in a transitory or interim use, restricted to limited uses because of special conditions, ..."
- **Scenic Corridor Overlay Zone (SC)** – As described in the Anaheim Municipal Code §18.84.010, the Scenic Corridor Overlay Zone is intended to provide for and promote orderly growth in certain areas of the City designated as being of distinctive, scenic importance, while implementing local governmental agency actions for the protection, preservation, and enhancement of the unique and natural scenic assets of these areas as a valuable resource to the community.

Although the existing General Plan land use designation for the property would allow 1.5 dwelling units per acre (a total of 35 units), the T Zone would restrict residential development to 1 unit per 43,000 square feet, for a total of 32 units.

1.4.3 Development Including Adjoining Dutt Property

Alternative 3 assumes the development of 44 single-family units on the 32.3-acre property owned by Stonegate, in addition to approximately 6 acres owned by Mr. Dutt located adjacent to and south of the proposed project. This alternative was submitted to the City on August 11, 2003 as Pre-File Application No. 2003-00076. However, this plan is being evaluated as it is an alternative to the project that would result in a coordinated effort for the development of both sites. Alternative 3 further assumes that the property would be developed with the General Plan land use designations *Low Density* and *Open Space*. However, Mr. Dutt has elected to proceed independently with entitlements for his property only.

1.5 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR identify areas of controversy which are known to the lead agency, including issues raised by other agencies and the public based upon input from the Notice of Preparation (NOP). Areas of controversy associated with the proposed Deer Canyon Estates include the following:

- Concern over increases in traffic levels on local streets.
- Concern with any change to existing land use designations and zoning.
- Concern with the visual compatibility of the proposed project with surrounding land uses.
- Concern with the loss of biological resources within the area.
- Concern regarding the loss of night-time views from nearby residences.

Other issues to be resolved by the City of Anaheim include the choice among alternatives, including the proposed project, and whether or how to mitigate the environmental effects of the project.

**TABLE 1.5-1
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Impact	Mitigation Program Summary	Level of Significance after Mitigation
Land Use and Planning (Section 4.1)		
No significant impacts were identified related to land use and planning programs.	No mitigation measures are required.	No impacts are anticipated.
Geology & Soils (Section 4.2)		
Slight to intense ground shaking is possible at the site if an earthquake occurs on a segment of the active faults listed in Table 4.2-2, Regional Fault System (Active Faults).	Project Design Features No project design features are identified. Standard Conditions of Approval SC G-1 All grading operations will be conducted in conformance with the Anaheim Municipal Code Title 17 – Land Development and Resources, City of Anaheim Policy No. 211 (Grading Design Manual), and the most recent version of the Uniform Building Code (UBC). Prior to the issuance of building permits, the project applicant shall demonstrate that all structures have been designed in accordance with the most recent seismic standards in the UBC and approved by the Chief Building Official. The UBC contains provisions that regulate the design and construction of excavations, foundations, retaining walls, and other building elements to control the effects of seismic ground shaking and adverse soil conditions. SC G-2 In compliance with the Anaheim Municipal Code, during preparation of final engineering and grading plans, the project applicant shall prepare final soils engineering and geologic studies, and submit these to the City Engineer for review and approval. The final engineering studies shall address acknowledged soil- and geology-related constraints and hazards identified in this EIR, such as slope stability, settlement, liquefaction, and related secondary seismic hazards. The final engineering studies shall: • Include an assessment of potential soil-related constraints such as stability of proposed cut, fill, and natural slopes. Conduct further subsurface exploration to refine geologic structure for cut slope stability. If the report finds stabilization necessary, grading plans shall require corrective measures consistent with Standard Condition SC G-1 to address the need for stabilization.	Implementation of the recommended mitigation program will reduce the potential project impact to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	• Include an assessment of on-site landslides and appropriate corrective measures, such as further subsurface exploration of landslide areas beneath planned fills and development areas. Corrective measures would include complete removal, if feasible, stabilization, or buttressing of the landslide. This would involve partial removal of the landslide and stabilizing potential future movement with earthen fill or reinforced materials. • Evaluate excavation characteristics of on-site earth materials. • Establish specific remedial grading requirements, including but not limited to establishing parameters for stabilization/buttressing of slopes, removal of unstable soil materials. • Provide grading, foundation, and structural design recommendations based on findings of future geotechnical investigations. • Address settlement, liquefaction, and structural design recommendations. Grading plans shall incorporate removal, where feasible, of all potential liquefiable alluvium. The grading plans shall also incorporate placement of engineered fill in canyons. • Address the potential for expansive soils. Representative soil samples of near-surface soil materials will be collected and tested for expansion potential after the completion of rough grading on site. Expansive soils that are detrimental to the project shall be subject to special building/foundation design, deepened foundations, post-tension foundations, soil removal, selective grading to blend highly expansive soils with soils of low expansivity, moisture conditioning, or other corrective measures as recommended by a licensed soils/geotechnical engineer and approved by the City Engineer prior to approval of each grading plan. • Include an evaluation of potentially corrosive soils and recommend appropriate corrective measures. If corrosive soils are found, corrective measures consistent with SC G-1 shall be incorporated into the grading plans. • Include appropriate laboratory testing to define soil engineering parameters. • Include a review of seismic of faulting conditions on site. Seismic design parameters identified for the project shall be incorporated into project design as applicable.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	Mitigation Measures MM G-1 All grading, site preparation, and construction activities shall be performed in compliance with the recommendations provided in the Geotechnical Feasibility Investigation prepared for the project by G.A. Nicoll & Associates in 2001.	
The project site contains alluvial and colluvial soils, as well as uncertified fill, which may result in seismically-induced settlement as a result of strong seismic shaking.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions and requirements are identified. Mitigation Measures MM G-1 (See above for text)	Implementation of the recommended mitigation program will reduce the potential project impact to a level considered less than significant.
The project site contains two landslides and one potential landslide which may be present on the site which would potentially result in significant geotechnical impacts.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions and requirements are identified. Mitigation Measures MM G-1 (See above for text)	Implementation of the recommended mitigation program will reduce the potential project impact to a level considered less than significant.
During construction, soil would be exposed and there would be a potential for soil erosion-related impacts	Project Design Features No project design features are identified. Standard Conditions of Approval SC G-1 (See above for text) SC G-2 (See above for text) Mitigation Measures MM G-1 (See above for text)	Implementation of the recommended mitigation program will reduce the potential project impact to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
The proposed project includes both cut and fill slopes in areas where there is the potential presence of unsuitable soils, including compressible, collapsible, or expansive materials which may result in slope failure.	Project Design Features No project design features are identified. Standard Conditions of Approval SC G-1 (See above for text) SC G-2 (See above for text) Mitigation Measures MM G-1 (See above for text)	Implementation of the recommended mitigation program will reduce the potential project impact to a level considered less than significant.
Hydrology & Drainage (Section 4.3)		
The proposed project would result in an increase of 38.6 cubic feet per second (cfs) in the peak flow for Lateral A-3, and an increase of 12.4 acres in size of the drainage area that drains to Lateral A-3.	Project Design Features PDF H-1 The existing 27-inch RCP lateral A-3 will be replaced with an appropriately-sized lateral (approximately 36 inches) to accommodate the increase in peak flow in the post-development condition for that lateral. Standard Conditions of Approval No Standard Conditions of Approval are identified. Mitigation Measures No mitigation measures are identified.	Potentially significant drainage impacts would be reduced to levels less than significant with the implementation of the mitigation program.
The proposed project could result in short-term construction impacts to surface water quality from grading activities, construction of structures, and infrastructure improvements, and other construction related activities.	Project Design Features PDF H-1 (See above for text) PDF H-2 Two earth-bottom depression areas will be constructed to contain storm water runoff and allow for the capture of storm water so that it slowly infiltrates into the soil, and is more efficiently channeled into the storm water system. PDF H-3 Manufactured slopes and other disturbed areas shall be planted according to the landscape plan and irrigated as soon as practicable after completion of grading activities. PDF H-4 As described in the landscape plan, a biodegradable mat (burlap or other fabric) shall be laid on top of the soil to ensure that areas with exposed soil/mulch do not contribute to sediment-laden runoff or erosion prior to plant establishment.	Potentially significant water quality and drainage impacts would be reduced to levels less than significant with the implementation of the mitigation program.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	PDF H-5 In accordance with the recommendations of the Water Quality Management Plan (ARS Engineering, 2004), the following list of site design features have been incorporated into the project design. • Minimize the amount of impervious areas and maximize the permeability of the project site, by increasing building density, or decreasing the project's footprint, to reduce the project's impacts to water quality and hydrologic conditions; • Minimize directly connected impervious areas; and • Conserve natural resources areas by clustering development on the least environmentally sensitive portions of a site, while leaving the remaining land in a natural, undisturbed condition. Standard Conditions of Approval SC H-1 Prior to the issuance of a grading permit, the project applicant shall be responsible for filing a Notice of Intent and the appropriate fees with the Santa Ana RWQCB in order to obtain a NPDES Statewide General Permit for construction activities. Pursuant to the permit requirements, the project applicant shall submit a SWPPP that incorporates BMPs for minimizing construction related pollutants in the site runoff. These shall include, but are not limited to the following: • Establishment of equipment staging areas and isolation of hazardous materials from drainage to any streambeds; • Control of construction vehicles and any contaminant leakage; a ban on equipment maintenance within streambeds; • Control of all construction debris; • Sediment traps and/or straw bale filters and silt fences; SC H-2 During construction, long-term operational BMPs will be installed and/or constructed by the project applicant as specified in the final Water Quality Management Plan for the project site, which is subject to the approval of the City of Anaheim. The WQMP shall be consistent with the Orange County Drainage Area Management Plan and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District requirements and City of Anaheim requirements. These shall include, but are not limited to the following source control and treatment control BMPs: Source Control BMPs • Provide practical informational materials to the first residents, occupants, and/or tenants on general housing-keeping practices that contribute to the protection of stormwater quality. These materials will be initially developed and provided to first residents/occupants/tenants by the developer. Thereafter, such materials will be available through the HOA.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	• The HOA and/or their designated maintenance contractors will maintain common area landscaping in accordance with County of Orange Water Conservation Ordinance No. 3802 guidelines for use of fertilizers and pesticides in Appendix F of the DAMP. • Inspection and maintenance of BMPs shall be the responsibility of the HOA and/or their designated maintenance contractors. • The City of Anaheim Fire Department, via the HOA, must ensure compliance with Article 80 of the Uniform Fire Code. • The HOA and/or their designated maintenance contractor shall implement monthly trash management and litter control procedures in the common areas aimed at reducing pollution of drainage water. The procedures shall consist of emptying of trash receptacles in common areas, and noting trash disposal violations by tenants/homeowners and reporting the violations to the HOA for investigation. • The HOA will provide educational materials contained in the approved WQMP to employees of the General Contractor regarding housekeeping during construction. After construction, the development's HOA will educate its employees/volunteers a minimum of every six months. • The HOA shall ensure that at least 80 percent of drainage facilities have been inspected, cleaned, and maintained on an annual basis, with 100 percent of the facilities included in a 2-year period. Cleaning shall take place in the late summer/early fall prior to the start of the rainy season. Drainage facilities include all catch basins (storm drain inlets), detention basins, retention basins, sediment basins, open drainage channels, and lift stations. • Storm drains shall be stenciled or labels with text and/or graphical icons illustrating anti-dumping symbols or images of receiving water fauna, to alert the public of the destination of pollutants discharged into the stormwater system. The stenciling shall be inspected once every six months for re-stenciling needs, and re-stenciled as necessary. • The irrigation system shall be designed such that: (1) the timing and application of irrigation water will minimize the runoff of excess irrigation water into the municipal storm water system; (2) water sensors are functioning properly; (3) irrigation heads are adjusted properly to eliminate overspray onto hardscape areas; and (4) irrigation times and cycle lengths are adjusted in accordance with water demand, given the time of year, weather, and day/night temperatures.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	- The project shall protect slopes and channels from erosion using consistent with local codes and ordinance, and with the approval of all agencies with jurisdiction (e.g., ACOE, RWQCB, CDFG), and include but are not limited to such methods as: (1) conveying runoff safely from the tops of slopes, steep or unstable slopes, and natural channels; (2) vegetating slopes with native or drought tolerant vegetation; (3) controlling or treating water flows in landscaping prior to their reaching existing natural drainage systems; (4) installing energy dissipaters such as riprap, in storm drains or culverts; and/or (5) installing permanent stabilization in channel crossings as quickly as possible to ensure that increases in runoff velocity and frequency do not erode channels. - Hillside areas that are disturbed by project development shall be landscaped with deep-rooted, drought-tolerant plant species selected for erosion control. The plants shall be grouped according to similar water requirements in order to reduce excess irrigation runoff and promote filtration. Treatment Control BMPs - Proprietary Control Measures (Stormceptor® Oil and Sediment Separator); - Porous Landscape Detention; and/or - Media Filters (fossil filters in catch basins). SC H-3 During construction, long-term operational BMPs will be installed and/or constructed by the project applicant as specified in the final Water Quality Management Plan for the project site, which is subject to the approval of the City of Anaheim. The WQMP shall be consistent with the Orange County Drainage Area Management Plan and the intent of the non-point source NPDES Permit for Waste Discharge Requirements for the County of Orange, Orange County Flood Control District requirements and City of Anaheim requirements. SC H-4 The installation and maintenance of structural facilities, and the conduct of non-structural BMPs, will be implemented consistent with the DAMP New Development Appendix guidelines. SC H-5 The proposed project shall comply with Title 22 of the California Code of Regulations and relevant sections of the California Health and Safety Code regarding hazardous waste management. Mitigation Measures No mitigation measures are identified.	
Conversion of a portion of the site from vacant land to residential uses would increase the pollutant load in the surface	Project Design Features PDF H-5 (See above for text)	Potentially significant water quality impacts would be reduced to levels less than significant with the

Impact	Mitigation Program Summary	Level of Significance after Mitigation
runoff from storm events.	Standard Conditions of Approval SC H-2 (See above for text) SC H-5 (See above for text) Mitigation Measures No mitigation measures are identified.	implementation of the mitigation program.
The proposed project, in conjunction with the existing development and planned development in the City of Anaheim, could result in a cumulatively considerable impact to surface water runoff due to construction activities in the area and post-development runoff.	Project Design Features No project design features are identified. Standard Conditions of Approval SC H-1 (See above for text) SC H-2 (See above for text) SC H-3 (See above for text) Mitigation Measures No mitigation measures are identified.	Implementation of the recommended program would mitigate the proposed project's cumulative impacts to a level considered less than significant.
Traffic & Circulation (Section 4.4)		
The temporary addition of construction-related traffic would create a significant, short-term impact to the local circulation network.	Project Design Features No project design features have been identified for the proposed project regarding Traffic and Circulation. Standard Conditions of Approval SC TC-1 Prior to issuance of a grading permit, the applicant shall submit a construction area traffic management plan to the City Traffic Engineer for review and approval. The plan shall be prepared by a registered Civil Engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation. The plan shall identify the routes that construction vehicles will utilize to access the site, hours of construction traffic, traffic controls and detours, off-site vehicle staging and parking areas, and proposed construction phasing plan for the project. The plan shall require the applicant to keep all haul routes clean and free of debris including but not limited to dirt as a result of its operations.	Implementation of the recommended program would mitigate the proposed project's traffic and circulation impacts to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	Mitigation Measures MM TC-2 The project applicant shall be responsible for contribution of the project's fair-share cost toward the improvement of the intersection at Santa Ana Canyon Road and Deer Canyon Road, including the installation of a traffic signal and roadway widening. The fair –share cost shall be calculated by the City of Anaheim Public Works Department once the development density and access points are determined for other development projects in the area. The first developer shall pay for all improvements and request a Reimbursement District from the City of Anaheim City Council.	
As a condition of development approval, the project applicant would reserve the portion of the existing Deer Canyon maintenance road for future development as a public park access roadway.	Project Design Features No project design features have been identified for the proposed project regarding Traffic and Circulation. Standard Conditions of Approval No standard conditions of approval have been identified for the proposed project regarding Traffic and Circulation. Mitigation Measures MM TC-1 The project applicant shall reserve a portion of the existing Deer Canyon maintenance road for future improvement as a public park access roadway.	Implementation of the recommended program would mitigate the proposed project's traffic and circulation impacts to a level considered less than significant.
Air Quality (Section 4.5)		
Construction of the proposed project would result in significant short-term impacts from NO_x and PM₁₀ emission during the peak day and in the peak quarter.	Project Design Features No project design features have been identified for the proposed project regarding air quality. Standard Conditions of Approval SC AQ-1 Prior to issuance of a grading permit, the City Building Official shall verify that a requirement for compliance with SCAQMD regulations is included in the contractor plans and specifications. All construction contractors shall comply with SCAQMD regulations, including Rule 402, the Nuisance Rule, and Rule 403, Fugitive Dust. The area undergoing grading is below the minimum size of 100 acres for which Rule 403 requires that a grading plan be developed and submitted to the District prior to beginning work. The rule requires that all grading projects apply best available control measures for fugitive dust. To ensure that the project is in full compliance with both dust and nuisance regulations, the contractor will do all of the following (Impacts 4.5-1 and 4.5-2):	With implementation of SC AQ-1 the impact of PM₁₀ would be reduced to a level less than significant; however, the impact of NO_x would remain significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	• Submit a grading and a fugitive dust control plan to the SCAQMD. Following approval of the control strategy contained in the plan, the contractor shall maintain daily records to document the specific actions taken throughout the grading period and shall make such records available to the Executive Officer of the SCAQMD, upon request. Consistent with requirements in Rule 403 for fugitive dust control plan approval, the contractor shall provide the names and addresses of persons responsible for preparation, submittal, and implementation of the plan; describe all operations, including providing a map depicting the site location; list all sources of fugitive dust emissions within the property lines; and describe the required control measures applicable to each of the identified fugitive dust sources. The contractor shall amend the control strategy if requested by the SCAQMD. The control strategy shall include the following actions: a) Moisten the soil not more than 15 minutes prior to moving soil and three times a day or four times a day under windy conditions in order to maintain soil moisture of 12 percent. b) On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for four or more days, apply water with a chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months. c) Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface for six months. d) Water excavated soil piles hourly or cover with temporary coverings. e) Water exposed surfaces not undergoing active grading at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per hour or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site. f) Wash mud-covered tires and under-carriages of trucks leaving construction site. g) Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud which would otherwise be carried off by trucks departing project sites. h) On any truck leaving the construction sites to dispose of debris, securely cover loads with a tight fitting tarp. i) Cease grading during periods when winds exceed 25 miles per hour.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	Mitigation Measures MM AQ-1 In order to reduce engine emissions related to conventional gasoline-powered engines, the contractor shall restrict vehicular and equipment operation to those powered by aqueous diesel fuel to the extent practical. MM AQ-2 The contractor shall require that all vehicles be maintained to manufacturer's specifications. MM AQ-3 The contractor shall be instructed to minimize any unnecessary use of construction equipment. All equipment and vehicles shall be turned off when not in use for more than five minutes.	
During construction, sensitive receptors would be exposed to substantial concentrations of PM ₁₀ .	Same as above.	After implementation of SC AQ-1 this impact would be reduced to a level considered less than significant.
If project-related PM ₁₀ and NO _x emissions occur simultaneously with emissions from other large projects in the vicinity, a cumulatively considerable impact would occur.	Same as above.	Application of SC AQ-1 would reduce the cumulative impact related to PM ₁₀ to less than significant. The cumulative impact related to NO _x would remain significant even after application of MMs AQ-1 through AQ-3.
Noise (Section 4.6)		
Construction activities would generate noise levels in excess of the City's Noise Ordinance limit of 60 dBA.	Project Design Features MM N-1 The project applicant shall require that mechanical ventilation adequate to meet the 45 CNEL interior noise standard is provided in all proposed dwelling units. This required attenuation will be best achieved while windows are closed. Therefore, adequate ventilation will be provided per the Uniform Building Code. Standard Conditions of Approval SC N-1 The City of Anaheim has adopted a Noise Ordinance that restricts construction activities to the hours between 7 p.m. and 7 a.m. All noise generating construction activities shall be limited to the hours between 7 a.m. and 7 p.m. SC N-2 Prior to the issuance of the construction notice to proceed (NTP), the City shall require contractors to produce evidence that: 1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.	After implementation of SC N-1 and SC N-2 this impact would be reduced to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	2) All operations shall comply with all applicable provisions of the City of Anaheim Noise Ordinance. Mitigation Measures No mitigation measures are identified.	
Biological Resources (Section 4.7)		
The proposed project has potential to impact the western spadefoot toad if present on the project site. This impact would be considered significant because this species meets the criteria of Section 15380 (definition of threatened, endangered or rare species) of CEQA. Implementation of Mitigation Measure B-1 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-1 Prior to project construction, a focused survey will be conducted on the project site for the western spadefoot toad during the breeding season for this species (February through May). The survey results will be submitted within 45 days after completion of the last survey to the CDFG for concurrence. If it is determined that the western spadefoot is not present on the project site, then no further mitigation is necessary. However, if the western spadefoot is located on the project site, then a relocation program will be developed. The relocation program will include a detailed methodology for locating, capturing, and relocating individuals prior to construction. The program will identify a suitable location for relocation of the western spadefoot prior to capture. The relocation program will require a biologist with the necessary permits for handling the western spadefoot. Prior to implementation of the relocation program, CDFG shall approve the program and the biologist(s) implementing the program.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
The proposed project would impact coastal sage scrub vegetation types (mixed sage scrub, mixed sage scrub with toyon-sumac chaparral, disturbed mixed sage scrub, and annual grassland/mixed sage scrub) that provide habitat for the coastal California gnatcatcher. This impact would be considered significant. Implementation	Project Design Features PDF B-1 Resource Avoidance. The proposed project includes 13.4 acres of preserved open space. Approximately 41.5 percent of the Deer Canyon Estates project site would remain within open space. This would be 4.8 acres (5.8 percent) more Open Space than if the site were developed with the existing General Plan land use designation and zoning. Overall, the establishment of permanent open space will enable the project to:	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
of Project Design Feature B-1 and Mitigation Measure B-2 would reduce this impact to less than significant.	• Avoid impacts to CSS and CSS species; • Permanently protect a significant riparian open space resources adjacent to and west of Deer Canyon Road. This resource includes the blue line stream itself, as well as the associated dense chaparral, willow riparian forest, and coast live oak riparian forest; and • Permanently protect 0.45 acre (84.9 percent) of ACOE jurisdictional area and 2.73 acres (96.5 percent) of CDFG jurisdictional area within the project site. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-2 Coastal sage scrub and coastal California gnatcatcher mitigation will be determined through the Section 7 consultation process with USFWS and the ACOE. This process will define the type, level and location of mitigation for coastal sage scrub and coastal California gnatcatcher impacts. Mitigation will be consistent with the local subregional habitat conservation plan. Impacted coastal sage scrub on the project site includes occupied gnatcatcher habitat; therefore, a portion of the mitigation will require occupied habitat. Mitigation options include: (1) creation/restoration of habitat on property adjacent to the project site; (2) creation/restoration or preservation of habitat at Puente Hills Landfill Native Habitat Preserve; (3) other local property that has occupied and unoccupied habitat; (4) preservation of occupied and unoccupied coastal sage scrub habitat in a bank such as the Viejo Conservation Bank in Orange County; (5) preservation of occupied and unoccupied coastal sage scrub habitat in other portions of Orange County and Riverside County; or (6) other mitigation options developed in conjunction with USFWS and ACOE. Once the mitigation plan is accepted by the ACOE and USFWS, the USFWS will issue a Biological Opinion to the ACOE. The ACOE will incorporate the mitigation plan as part of the terms and conditions of its 404 permit. Construction related minimization mitigation measures related to development are as follows:	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	a. No grading of coastal sage scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through August 30). It is expressly understood that this provision and the remaining provisions of these "construction-related minimization measures," are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens, and any other coastal sage scrub Identified Species that are not otherwise flushed and will carry out the following measures only to the extent as practicable in the context of the public health and safety considerations. b. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP, will be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species will be clearly marked and identified on the construction/grading plans. c. A monitoring biologist, acceptable to USFWS/CDFG will be onsite during any clearing of coastal sage scrub. The landowner or relevant public agency/ utility will advise USFWS/CDFG at least seven calendar days (and preferably 14 calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing capture activities. The monitoring biologist will flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that identified bird species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	d. Following the completion of initial grading/earth movement activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment will be permitted within such marked areas. e. In areas bordering the NCCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub identified in the NCCP/HCP for protection, vehicle transportation routes between cut-and-fill locations will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub identified in the NCCP/HCP for protection. Pre-construction meetings involving the monitoring biologist, construction supervisors and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures. f. Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas will be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.	
The proposed project could impact an active raptor nest. This impact would be considered significant because it would be a violation of Section 3503, 3503.5 and 3513 (nest protection for all birds, protection for raptors and protection of migratory non-game birds) California Fish and Game Code. Implementation of Mitigation Measure B-3 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-3 Seven days prior to the onset of construction activities, a qualified biologist will survey within the limits of project disturbance for the presence of any active raptor nests (common or special status). Any nest found during survey efforts will be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys will be provided to the CDFG.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	If nesting activity is present at any raptor nest site, the active site will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for raptors in the region of the project site normally occurs from February 1 to June 30. To protect any nest site, the following restrictions on construction are required between February 1 and June 30 (or until nests are no longer active as determined by a qualified biologist): 1) clearing limits will be established a minimum of 300 feet in any direction from any occupied nest and 2) access and surveying will be restricted within 200 feet of any occupied nest. Any encroachment into the 300/200 foot buffer area around the known nest will only be allowed if it is determined by a qualified biologist that the proposed activity will not disturb the nest occupants. Construction during the non-nesting season can occur only at the sites if a qualified biologist has determined that fledglings have left the nest. If an active nest is observed during the non-nesting season, the nest site will be monitored by a qualified biologist, and when the raptor is away from the nest, the biologist will flush any raptor to open space areas. The biologist will then remove the nest site so raptors cannot return to a nest.	
Construction noise may indirectly impact the coastal California gnatcatcher. Temporary displacement of the gnatcatcher would be considered a potentially significant impact. Implementation of Mitigation Measure B-4 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-4 The most noise intensive portions of construction (grubbing and to the maximum extent practicable, mass grading) should be conducted outside of the breeding season for the coastal California gnatcatcher (February 15 to August 30) in order to avoid disturbance to nesting gnatcatchers and any other special status bird species that may be nesting on or in the vicinity of the site. If construction cannot be avoided during this time period, then the following minimization measures will be implemented: a. A biologist that holds the necessary USFWS/CDFG permits to monitor coastal California gnatcatcher nests will be retained by the landowner or relevant public agency/utility during all construction activities that occur during the gnatcatcher breeding	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	season (February 15 to August 30), if there is the potential that construction activities will occur within 500 feet of an active gnatcatcher nest. The landowner or relevant public agency/utility will advise USFWS/CDFG at least seven calendar days (and preferably 14 calendar days) prior to any construction activities that occur within 500 feet of any habitat occupied by the gnatcatcher during its breeding season. b. A noise monitoring program will be developed to ensure that noise impacts are less than 60 dBA at the gnatcatcher nest throughout the breeding season.	
Lighting of urban development may affect the behavior patterns of nocturnal and crepuscular wildlife species. This impact would be considered potentially significant because it may impact special status wildlife species. Implementation of Mitigation Measure B-5 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
	Mitigation Measures MM B-5 A lighting plan will be submitted to the County for review to demonstrate that lighting from the proposed project will be directed away from natural open space areas on and adjacent to the project site.	
Human activity would increase the noise and disturbance of habitat areas remaining on the site. This impact would be considered potentially significant because it could impact special status wildlife species. Implementation of Mitigation Measure B-6 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-6 To limit the amount of human disturbance to natural open space areas remaining in the project site, a fencing plan will be submitted to the County. Prior to obtaining occupancy permits, signs and split-rail fencing (the latter, if appropriate) will be posted directing people to keep out of the natural open space areas and revegetation areas (if applicable). In addition, the Project Applicant will be required to post signage stating that dogs will be required to be leashed in areas (e.g., parks) near the natural open space areas.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
The proposed project would impact coastal sage scrub vegetation types. This impact would be considered significant because this vegetation type is considered special status due to its decline in the region and its potential to support special status plant and wildlife species, including the coastal California gnatcatcher. Implementation of B-2 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures PDF B-2 Wildlife Movement Protection. To protect and preserve wildlife movement, the project design will accommodate the connection of remaining open space areas by minimization of lighting within the development area, and the shielding and/or directing of lighting along the perimeter of the development away from open space areas.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
The proposed project could impact water quality. This impact would be considered potentially significant. Implementation of Project Design Feature B-3 and Mitigation Measure B-7 would reduce this impact to less than significant.	Project Design Features PDF B-3 Water Quality Features. As discussed in Section 4.3, Hydrology/Water Quality a number of Best Management Practices (BMPs) are planned including swales, biofiltration areas, and other effective measures. All treatment BMPs are combined with source control and site design measures, as required by the Drainage Area Management Plan (DAMP). Protection of water quality reduces impacts to the species that occupy or use these areas. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-7 Prior to the issuance of a grading permit, the project applicant will apply for coverage under the State Water Resources Control Board's General Permit for Storm Water Discharge Associated with Construction Activity (Construction Activities General NPDES Permit) and will comply with all the provisions of the permit, including the development of a Storm Water Pollution Prevention Plan, which includes provisions for the implementation of Best Management Practices and erosion control measures. Best Management Practices will include both structural and non-structural measures. Stormwater filters or other approved mitigation practices would be installed or used as needed.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
The proposed project could impact the quality of vegetation types remaining on the project site by introducing invasive exotic plant species. This impact would be considered potentially significant. Implementation of Mitigation Measure B-8 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-8 Landscape designs will be submitted to the City for review and approval by a qualified biologist. The review will ensure that no invasive, exotic plant species are used in the proposed landscaping, and that suitable substitutes are proposed. Ideally, only native species should be used adjacent to the open space areas. Natives used should include coastal sage scrub and riparian species that currently occur on the project site.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
The proposed project would impact 0.08 acre of ACOE jurisdiction (an Individual Permit will be required per Section 404 of the CWA) and 0.10 of CDFG jurisdiction (a 1603 Streambed Alteration Agreement will be required). This impact would be considered significant. Implementation of MM B-9 and SCs B-1 through B-3 would reduce this impact to less than significant.	Project Design Features PDF B-1 Resource Avoidance. The proposed project includes 13.4 acres of preserved open space. Approximately 41.5 percent of the Deer Canyon Estates project site would remain within open space. This would be 4.8 acres (5.8 percent) more Open Space than if the site were developed with the existing General Plan land use designation and zoning. Overall, the establishment of permanent open space will enable the project to: • Avoid impacts to CSS and CSS species; • Permanently protect a significant riparian open space resources adjacent to and west of Deer Canyon Road. This resource includes the blue line stream itself, as well as the associated dense chaparral, willow riparian forest, and coast live oak riparian forest; and • Permanently protect 0.45 acre (84.9 percent) of ACOE jurisdictional area and 2.73 acres (96.5 percent) of CDFG jurisdictional area within the project site. Standard Conditions of Approval No standard conditions of approval are identified.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	Mitigation Measures MM B-9 Mitigation will consist of a combination of either on and/or off-site restoration and enhancement of riparian habitat at the ratio identified in the project applicant's ACOE and CDFG permit/agreement application for the proposed project. The ratio will be a minimum of 1:1. Impacts are considered less than significant after implementation of the following mitigation measures: Prior to the final submittal of an application for an ACOE permit or CDFG agreement, the Project Applicant will develop a riparian restoration and enhancement plan for the ACOE and CDFG. The objective of the plan will be to ensure no net loss of habitat values as a result of the project and may include preservation, restoration, and enhancement within the project site and/or off-site. The Project Applicant will implement the mitigation plan, as approved by the resource agencies, and according to guidelines and performance standards of the plan. Prior to implementation, a detailed riparian restoration and enhancement plan will be developed and will contain the following items: a. <i>Responsibilities and qualifications of the personnel to implement and supervise the plan.</i> The responsibilities of the landowner, specialists and maintenance personnel that will supervise and implement the plan will be specified. b. <i>Site selection.</i> Restoration and enhancement mitigation site selection for the mitigation will be determined in coordination with the Project Applicant and resource agencies. The mitigation site(s) will be located within the project site in a dedicated open space area or on land that will be dedicated and/or purchased off-site. c. <i>Site preparation and planting implementation.</i> The site preparation will include: (1) protection of existing native species; (2) trash and weed removal; (3) native species salvage and reuse (i.e., duff); (4) soil treatments (i.e., imprinting, de-compacting); (5) temporary irrigation installation; (6) erosion control measures (i.e., rice or willow wattles); (7) seed mix application; and (8) container species.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	d. <i>Schedule</i>. A schedule will be developed which includes planting to occur in late fall and early winter, between October and January 30. e. <i>Maintenance plan/guidelines</i>. The maintenance plan will include: (1) weed control; (2) herbivory control; (3) trash removal; (4) irrigation system maintenance; (5) maintenance training; and (6) replacement planting. f. <i>Monitoring Plan</i>. The monitoring plan will include: (1) qualitative monitoring (i.e., photographs and general observations); (2) quantitative monitoring (i.e., randomly placed transects); (3) performance criteria as approved by the resource agencies; (4) monthly reports for the first year, and bimonthly thereafter; and (5) annual reports for three to five years, which will be submitted to the resource agencies on an annual basis. The site will be monitored and maintained for five years to ensure successful establishment of riparian habitat within the restored and created areas; however, if there is successful coverage prior to five years, the project applicant may request from ACOE and CDFG to be released from monitoring requirements. g. <i>Long-Term Preservation</i>. Long-Term Preservation of the site will also be outlined in the restoration and enhancement plan to ensure the mitigation site will not be impacted by future development.	
The proposed project would reduce the amount of open space habitat between Santa Ana Canyon Road and SR-91 and the Deer Canyon Preserve south of the project site. This would reduce wildlife movement between these open space habitats. This impact would be considered significant. Implementation of B-2 would reduce this impact to less than significant.	Project Design Features PDF B-2 (See above for text) Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures No mitigation measures are identified.	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
Construction noise may indirectly impact wildlife movement. Temporary disruption of wildlife movement would be considered a potentially significant impact. Implementation of Mitigation Measure B-4 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-4 (See above for text)	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
Lighting of urban development may affect the behavior patterns of nocturnal and crepuscular wildlife species. This impact would be considered potentially significant because it may impact wildlife movement. Implementation of Mitigation Measure B-5 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-5 (See above for text)	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
Human activity would increase the noise and disturbance of habitat areas remaining on the site. This impact would be considered potentially significant because it could impact wildlife movement. Implementation of Mitigation Measure B-6 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-6 (See above for text)	Implementation of the recommended measure would mitigate the proposed project's impacts on biological resources to a level considered less than significant.
The proposed project would impact the coastal California gnatcatcher and therefore, may conflict with the goals of the NCCP. This impact would be considered significant. Implementation of Mitigation Measure B-2 would reduce this impact to less than significant.	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
The proposed project would contribute to the cumulative loss of coastal sage scrub, habitat for the coastal California gnatcatcher, in the region. This impact would be considered significant. Implementation of Mitigation Measure B-2 would reduce this impact; however, it could not reduce this impact to less than significant.	Mitigation Measures MM B-2 (See above for text)	
	Project Design Features No project design features are identified. Standard Conditions of Approval No standard conditions of approval are identified. Mitigation Measures MM B-2 (See above for text)	Implementation of the recommended measure would reduce this impact; however, it could not reduce this cumulative impact to biological resources to less than significant.
Aesthetics (Section 4.8)		
No significant impacts related to aesthetics have been identified; however, the following project design feature and standard condition of approval are required.	Project Design Features PDF A-1 Approximately 575.8 lineal feet of retaining loffel walls will be provided at three separate locations throughout the project site (refer to Exhibit 3-7, Section 3.0, Project Description). The loffel walls shall be planted with landscape materials consistent with the proposed landscape plan. Standard Conditions of Approval SC A-1 All grading operations will be conducted in conformance with the Anaheim Municipal Code, Title 17-Land Development and Resources, City of Anaheim Policy No. 211 (Grading Design Manual) and the most recent version of the Uniform Building Code (UBC). Prior to issuance of building permits, the project applicant shall demonstrate that graded areas will be compatible with natural landform characteristics. Criteria to achieve the desired effect may include: - Recontouring the existing landforms to provide a smooth and gradual transition between graded slopes and existing grade while preserving the basic topographic character of the existing site. - Attempting to balance between cut and fill within the overall area to eliminate an off-site and import/export situation. - Obscuring slope drainage structures with a variety of plant materials. - Incorporation of architectural and design techniques into the project in order to minimize grading and enhance off-site views (e.g., split levels, terracing, clustering).	The proposed project would not result in significant adverse impacts. Implementation of PDF A-1 and SC A-1 will be required for construction of the proposed project.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	e. Preservation of visual opportunities from hillsides by providing for panoramic views from selected locations (e.g., view corridors, sensitive landscape placement). SC A-2 Prior to issuance of precise grading permits, the project applicant shall prepare a detailed landscape plan for the project area, which shall be approved by the City of Anaheim. The plan shall be certified by a licensed landscape architect or a licensed landscape contractor, as required, and be prepared in compliance with Section 17.06 of the City of Anaheim Municipal Code to blend landscape features with the existing environment. In addition, the landscape plan shall incorporate an irrigation plan and take into account approved preliminary landscape plans (if any) contained in the City of Anaheim Standard Plans for landscape areas, adopted plant palette guides, and applicable scenic and visual resources requirements. SC A-3 Prior to issuance of any building permit, the project applicant shall demonstrate that all exterior lighting has been designed and located so that all rays are confined to the property in a manner meeting the approval of the City of Anaheim. Mitigation Measures No additional mitigation measures are required with application of the PDFs and SCs identified above.	
Cultural Resources (Section 4.9)		
On- and off-site grading and excavation activities could impact unknown paleontological resources, which would be considered significant.	Project Design Features No project design features have been identified. Standard Conditions of Approval SC C-1 Should any archaeological resources be uncovered during grading or excavation activities, these activities will be diverted to a part of the site away from the find, and a certified archaeologist shall be contacted by the City of Anaheim or its representative to: (1) ascertain the significance of the resource, (2) establish protocol with the City of Anaheim to protect such resources, (3) ascertain the presence of additional resources, and (4) provide additional monitoring of the site, if deemed appropriate.	Upon implementation of the mitigation program, the potential impact to prehistoric resources would be reduced to a level considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	SC C-2 Should any paleontological resources be uncovered during grading or excavation activities, these activities will be diverted to a part of the site away from the find, and a certified paleontologist shall be contacted by the City of Anaheim or its representative to: (1) ascertain the significance of the resources; (2) establish protocol with the County of Orange to protect such resources; (3) ascertain the presence of additional resources; and (4) provide additional monitoring of the site, if deemed appropriate.	
	SC C-3 In accordance with Public Resources Code 5097.94, if human remains are found, the Orange County coroner must be notified within 24 hours of the discovery. If the coroner determines that the remains are not recent, the coroner will notify the Native American Heritage Commission in Sacramento to determine the most likely descendent for the area. The designated Native American representative then determines in consultation with the property owner the disposition of the human remains.	
	Mitigation Measures	
	MM C-1 Prior to the issuance of a grading permit, a paleontological resource monitoring plan shall be developed by a Certified Paleontologist. This plan shall include a grading observation schedule to be maintained when grading in bedrock units to further evaluate the fossil resources of the site. An Orange County Certified Paleontologist shall be retained to attend pre-grade meetings and to monitor earthmoving activities, including clearing, grubbing, and trenching at the site. The archaeologist/paleontologist would carefully inspect this area to assess the potential for significant prehistoric or historic remains. If potential paleontological resources are uncovered, then a subsurface evaluation may be needed to assess the resource. Further subsurface investigation may be needed if the site is determined unique/important for its prehistoric information. MM C-2 Salvage operations shall be initiated and coordinated with the developer if significant concentrations of fossils are encountered. In the event that fossils are exposed, the paleontologist shall be allowed to divert or direct grading in the area of exposure to facilitate evaluation and, if identified as potentially significant, to salvage significant fossils.	

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	MM C-3 Fossils collected shall be prepared and identified by a qualified paleontologist. Excavated significant fossil finds shall be offered, on a first right-of-refusal basis, to a repository with a retrievable collection system and an educational and research interest in the materials such as the Fowler Museum of Cultural History (UCLA) and California State University, Fullerton.	
On- and off-site grading and excavation activities could impact unknown human remains, including those interred outside of formal cemeteries which would be considered significant.	Project Design Features No project design features have been identified. Standard Conditions of Approval SC C-3 (See above for text) Mitigation Measures No mitigation measures have been identified.	Upon implementation of the mitigation program, the potential impact to prehistoric resources would be reduced to a level considered less than significant.
Recreation (Section 4.10)		
The project would incrementally increase the use of local parks and recreational facilities; however, this minor increase in combination with implementation of PDFs P-1 and P-2 would ensure that impacts to existing recreational facilities would not be significant.	Project Design Features PDF P-1 The north-south Regional hiking trail located on the project site will be constructed by the project developer as a part of project development. PDF P-2 The applicant will provide an offer of dedication for trail purposes across Lot A, explicitly for the development of the East Hills Trail. Standard Conditions of Approval No standard conditions of approval have been identified. Mitigation Measures No mitigation measures have been identified.	This does not represent a significant impact.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
The Deer Canyon Estates project would require an additional 0.24 acre of public parkland within the City limits. However, implementation of SC P-1 would reduce this project and cumulative impact to less than significant	Project Design Features No project design features have been identified. Standard Conditions of Approval SC P-1 The proposed project shall comply with the City of Anaheim park dedication requirements that require new development to ensure that two acres of parkland will be developed for each 1,000 residents generated by the project. Compliance with this park dedication requirement through direct payment of fees in lieu of dedication shall be confirmed by the Planning Director prior to approval of a tentative tract map. Mitigation Measures No mitigation measures have been identified.	Impacts related to the demand for parklands would be significant due to adherence to SC P-1.
Public Services & Utilities (Section 4.11)		
Fire Protection		
The project would be exposed to potential wildland fires; however, the implementation of fire protection features (PDF PSU-1 and SCs PSU-1 and -2) would ensure that this impact would be less than significant	Project Design Features PDF PSU-1 The project shall provide sprinkler systems as fire protection features for all proposed residential units. The sprinkler systems shall be built in accordance with City of Anaheim Fire Department Standards. Standard Conditions of Approval SC PSU-1 Prior to approval of tentative tract maps, a preliminary fuel modification plan shall be submitted to and approved by the Fire Department prior to approval of tentative tract maps, and a final fuel modification plan must be approved prior to issuance of a grading permit. SC PSU-2 The City of Anaheim Fire Department is currently undertaking a study to develop a structure for city-wide development impact fees. Should the adoption of these fees become effective prior to building permits for this project, the developer will be required to pay the fees in effect at that time. Mitigation Measures No mitigation measures have been identified.	Implementation of the mitigation program would ensure that the impacts related to wildland fires and the ability of fire protection services to serve the site would be considered less than significant.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
Police Protection		
No significant impacts related to police protection have been identified.	No mitigation is required.	No impacts are anticipated.
Schools		
The proposed project would place additional demands on the OUSD, in terms of facilities and resources which would be considered a cumulative impact.	Project Design Features No project design features have been identified. Standard Conditions of Approval SC PSU-3 Prior to issuance of a building permit, the project applicant shall enter into an SB 50 compliance agreement with the Orange Unified School District, and pay the required developer fees. The amount of the fees to be paid shall be determined based on the established state formula for determining school fees. Mitigation Measures No mitigation measures have been identified.	After implementation of the SC PSU-1 the proposed project would not result in an adverse cumulative impact.
Water Service		
No significant impacts related to water service and supply have been identified; however, the following project design features and standard conditions of approval program are required.	Project Design Features No project design features have been identified. Standard Conditions of Approval SC PSU-4 Prior to the approval of the water improvement plans for the proposed project, the Project Applicant shall pay all applicable fees in accordance with the Anaheim Water Rates, Rules, and Regulations, including payments for Rule 15C relating to the East Santa Ana Canyon area transmission and terminal storage facilities. SC PSU-5 Prior to first submittal of the water improvement plans for the proposed project, the Project Applicant shall submit a water system master plan, including a hydraulic distribution network analysis, for review and approval by the City of Anaheim Public Utilities Department, Water Engineering Division. The master plan shall demonstrate the adequacy of the proposed on-site water facilities to meet the needs of the project including total water demand (single-family unit, common landscape areas, and fuel modification), fire flow requirements, and location and number of the points of connection. SC PSU-6 Prior to issuance of use and occupancy permits, the property owner/developer shall demonstrate to the Water Engineering Division that water consumption reduction measures have been implemented,	The proposed project would not result in adverse impacts to the City of Anaheim Public Utilities Department's water distribution facilities. Implementation of SC PSU-3, SC PSU-4, and SC PSU-5 will be required for construction of the proposed project.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	as required by State law and in accordance with the Water Utilities Rates, Rules, and Regulations. This may require the implementation of conservation measures to offset or minimize the overall increase in demands resulting from the project. Such measures where feasible and appropriate, shall include, but are not limited to, the following: • Low-flush toilets (Health and Safety Code Section 17921.3); • Maximum flow rate of all new showerheads, lavatory faucets, and sink faucets (Title 20, California Code of Regulations Section 1604[f]); • Appliances certified by manufacturer to comply with regulations established by applicable efficiency standards (Title 20, California Code of Regulations Section 1606[b]); • Hot water pipes insulated to reduce water used before hot water reaches equipment or fixtures (Title 24, California Code of Regulations Section 2-5352[i] and [j]); • Thermostatically controlled mixing valve for bath/shower; • Implementation of efficient irrigation systems such as drip irrigation and automatic systems which use moisture sensors to minimize runoff and evaporation; • Use of low-flow sprinkler heads in the irrigation system; and • Use of water-conservation landscape plant materials wherever feasible. Mitigation Measures No mitigation measures have been identified.	
Electricity		
No significant impacts related to electrical supply and facilities have been identified; however, the following project design features and standard conditions of approval program are required.	Project Design Features PDF PSU-2 The property owner/developer shall provide conduits, substructures and easements (including necessary conduits, ducts, manholes, vaults and service lateral ducts) for an underground electrical distribution system and telecommunication facilities to and within the development site. The substructure systems shall be installed in accordance with the Public Utilities Department's specifications. PDF PSU-3 The project shall provide a street lighting system along the Santa Ana Canyon Road project boundary and along the roadway up to the development, subject to reimbursement. Both street lighting systems shall be built in accordance with City of Anaheim Public Utilities Department Construction Standards. Standard Conditions of Approval SC PSU-7 Prior to the issuance of the first Building Permit, the property	The proposed project would not result in adverse impacts to the City of Anaheim Public Utilities Department's electrical facilities. Implementation of the SC PSU-6, SC PSU-7, PDF PSU-2, and PDF PSU-3 will be required for construction of the proposed project.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
	SC PSU-8 owner/developer shall be required to provide easements and pay fees in accordance with Anaheim's Electrical Rates Rules & Regulations for installation of backbone cables, switches and related equipment to provide electrical distribution systems and telecommunication facilities to and within the Development site. If facilities (electrical and telecommunication) need to be relocated along Santa Ana Canyon Road, the property owner/developer shall be required to provide new easements and pay for all relocations. If undergrounding of facilities is required, the property owner/developer shall pay fees and construct a new distribution system and provide easements in a location acceptable to the Anaheim Public Utilities Department that shall interface with and/or replace the existing overhead 12kV and communication distribution systems. The relocation of existing or installation of new systems shall be timed to coincide with the level of department required for this improvement, to the satisfaction of Anaheim Public Utilities Department and other utility companies. Mitigation Measures No mitigation measures have been identified.	
Natural Gas Service		
No significant impacts related to natural gas service were identified.	No mitigation is required.	No impacts are anticipated.
Wastewater/Sewer Service		
No significant impacts related to wastewater/sewer service were identified.	No mitigation is required.	No impacts are anticipated.

Impact	Mitigation Program Summary	Level of Significance after Mitigation
Solid Waste Services		
Although no significant impacts to solid waste disposal are anticipated as a part of the project, the following measures noted below are recommended to minimize waste disposal and assist the City of Anaheim in compliance with AB 939.	Project Design Features No project design features have been identified. Standard Conditions of Approval SC PSU-9 In accordance with the requirements of AB 939, construction contractors shall reuse construction forms where practicable or applicable, attempt to balance soils on the site, minimize over cutting of lumber and polyvinyl chloride (PVC) piping where feasible, and reuse landscape containers to the extent feasible. SC PSU-10 Recycling bins for glass, metals, paper, wood, plastic, green waste, and cardboard shall be placed on the construction sites for use by construction workers. SC PSU-11 In construction specifications and bid packages, require building materials made of recycled materials, to the extent feasible and economically practical. SC PSU-12 As a part of the ongoing operations of the Deer Canyon Estates project, the following measures shall be integrated into project design: • Source reduction, source separation and recycling measures shall focus on paper goods, yard waste, plastic, wood waste, and glass; • "Buy-recycled" policies, such as price preferences for recycled products; • Source reduction policies; • In-house recycling; • Drop-off sites; • Employee education; • Customer education; and • Manufacturing design modification to promote source reduction or recycling. Mitigation Measures No mitigation measures have been identified.	Upon implementation of the mitigation program, the potential impact to solid waste services would be reduced to a level considered less than significant.
Telephone Service		
No significant impacts related to telephone service were identified.	No mitigation is required.	No impacts are anticipated.
Television Service		
No significant impacts related to television service were identified.	No mitigation is required.	No impacts are anticipated.



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City of Anaheim
PLANNING DEPARTMENT
Planning Services Division

**NOTICE OF AVAILABILITY
OF DRAFT ENVIRONMENTAL IMPACT REPORT NO. 329
FOR DEER CANYON ESTATES**

Subject:

NOTICE IS HEREBY GIVEN THAT DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) NO. 329 (STATE CLEARINGHOUSE NUMBER 2004021044) FOR DEER CANYON ESTATES IS AVAILABLE FOR PUBLIC REVIEW.

Project Description:

The project applicant, Stonegate Development Company, proposes to construct the Deer Canyon Estates residential development consisting of 35 single-family residences. Individual units would range from 3,244 to 4,044 square feet on lots varying from 7,445 to 20,490 square feet. Access to the site would be provided by Deer Canyon Road, which intersects with Santa Ana Canyon Road. Project elements would include landscaping, architectural elements, development of fuel modification zones, and designation of 13.4 acres of permanent open space. A north-south Regional Trail would be developed along the western edge of the residential development.

Project Location:

The proposed project site is located in the northeastern portion of Orange County in the City of Anaheim. The 32.3-acre site is located in the northeastern portion of the City of Anaheim and is generally bound by the Riverside Freeway (SR-91) and Santa Ana Canyon Road to the north, with access from Deer Canyon Road, between South Eucalyptus Drive and Festival Drive. Regional access to the proposed project site is provided by the SR-91, with ramp connections at Weir Canyon Road and Imperial Highway.

Project applications for the proposed project include a General Plan Amendment to reconfigure the Open Space designation on the property and redesignate the land use designation for the balance of the site from *Estate Density* to *Low Density*. A Zoning Reclassification would change the zone from *T(SC)* (*Transition; Scenic Corridor Overlay*) to *RS-2(SC)* (*Single-Family Residential; Scenic Corridor Overlay*). The project applicant is also requesting a Variance to waive the required minimum front yard setback on Lot 13 and to waive the private street standards requiring a 56-foot total right-of-way for a residential

street. The applicant is also requesting approval of a tentative tract map for the proposed project. Additional actions would include grading permits, formation of a Homeowners Association, encroachment licenses, building permits, subdivision improvement plan permits, haul route approval and a right-of-way construction permit.

Notice of Availability:

Please be informed that the City of Anaheim has released DEIR No. 329 prepared in compliance with the California Environmental Quality Act (CEQA) and the State and City of Anaheim CEQA Guidelines for Deer Canyon Estates project and related actions. The public review period will be 45 days, from **January 31, 2005 to March 16, 2005.**

Draft EIR No. 329 will be available for public review beginning January 31, 2005 on the City's website at www.Anaheim.net/citydepartments/planning. Copies of the document will also be available for review at the following locations:

- City of Anaheim Planning Department, 200 S. Anaheim Boulevard, Anaheim, CA
- Anaheim Public Library, 500 W. Broadway, Anaheim, CA
- Canyon Hills Library, 400 Scout Trail, Anaheim, CA

All interested parties are invited to submit written comments on the DEIR. Your comments should be sent at the earliest possible date but, due to the time limits mandated by State law, the comments must arrive no later than 5:00 p.m. on Wednesday, March 16, 2005.

Please submit your comments to Amy Vazquez, Associate Planner, at the City of Anaheim Planning Department, 200 S. Anaheim Boulevard, Suite 162, Anaheim, California 92805 or by e-mail at avazquez@anaheim.net.

For more information, please call Amy Vazquez at (714) 765-5139, Extension 5884.

The public hearing process will commence following the public review period. A separate notice advertising the hearing date will be provided.

DEIR NOTICE OF AVAILABILITY DATE PUBLISHED: January 31, 2005.

2005 0063
I. G. S. L.
Deer Canyon Estate Development Project
Draft EIR Volumes I and II
(SCH Number 2004021044)

January 24, 2005
City of Anaheim



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